

**REMARKS**

Claims 1-20 and 22-38 are all the claims pending in the application, prior to the present amendment.

Applicants have amended claim 20 to correct a typographical error and have amended claim 22 to contain consistent punctuation throughout.

Claims 1-26 and 29-38 have been rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent Application Publication No. 2003/0124959 to Schroeder et al in view of U.S. Patent Application Publication No. 2003/0004085 to Ando et al.

Claims 27 and 28 have not been included in this rejection.

Claim 27 is directed to the use of an azole polymer having a vinyl group and having two or more azole moieties in its molecule.

Applicants have amended claim 1 as set forth above to include this recitation of claim 27. Claim 27 has been canceled as well as claim 11 from which claim 27 indirectly depended. Claim 27 also depended from claim 12, but applicants do not believe that the recitations of claim 12 were the reason why the Examiner did not include claim 27 in the rejection.

Neither Schroeder et al nor Ando et al disclose or suggest the subject matter of claim 1 as amended above which is directed to a polishing composition for polishing a metal film provided on a substrate having trenches such that the metal film fills the trenches, so as to provide a planarized surface, wherein the composition comprises water, a phosphate ester having a C<sub>≥6</sub> carbon atom alkyl group in its molecule, an etchant for the metal, and an azole polymer having a vinyl group and two or more azole moieties in its molecule, and has a pH of 5 to 11.

In view of the above, applicants submit that Schroeder et al and Ando et al do not disclose or render obvious the subject matter of claim 1 and, accordingly, request withdrawal of this rejection.

Claims 27 and 28 have been rejected under 35 U.S.C. § 103(a) as obvious over Schroeder et al in view of Ando et al and further in view of U.S. Patent Publication No. 2003/0162399 to Singh.

As noted above, recitations from claim 27 have been incorporated into claim 1 and claim 27 has been canceled.

With respect to the recitations of claim 27, the Examiner states that Schroeder et al do not specifically teach the presence of a vinyl group in a polymer having an average molecular weight of 2,000 to 500,000.

The Examiner refers to paragraph [0096] of Singh for disclosing an imidazoline carboxylate polymer having a molecular weight of approximately 15,000. The Examiner argues that it would have been obvious to employ this imidazoline carboxylate surfactant in the composition of Schroeder et al.

The imidazoline carboxylate described in paragraph [0096] of Singh, however, is not an azole polymer having a vinyl group and having two or more azole moieties in its molecule. Thus, it does not satisfy the recitations of claim 1 as amended above.

In view of the above, applicants submit that Schroeder et al, Ando et al and Singh do not disclose or render obvious the subject matter of claim 1 and, accordingly, request withdrawal of this rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

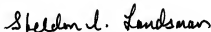
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WASHINGTON OFFICE

**23373**

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